UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/719,796	11/21/2003	David A. Monroe	121947.0001.740	3090

7590 08/14/2006

Robert C. Curfiss
Jackson Walker, L.L.P.
Suite 2100
112 E. Pecan Street
San Antonio, TX 78205-1521

EXAMINER	
NGUYEN, THU V	

ART UNIT	PAPER NUMBER
3661	

DATE MAILED: 08/14/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/719,796	MONROE, DAVID A.	
	Examiner	Art Unit	
	Thu Nguyen	3661	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *23 May 2006*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-20* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-20* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☒ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *07 May 2004* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date *7/3/06*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

The amendment filed on May 23, 2006 has been entered. By this amendment, all claims 1-20 are pending in the application.

Information Disclosure Statement

1. The information disclosure statement filed July 3, 2006 fails to comply with 37 CFR 1.98(a)(3) because it does not include a concise explanation of the relevance, as it is presently understood by the individual designated in 37 CFR 1.56(c) most knowledgeable about the content of the information, of each patent listed that is not in the English language. It has been placed in the application file, but the information referred to therein has not been considered.

Specification

2. The specification is objected to as failing to provide proper antecedent basis for the claimed subject matter. See 37 CFR 1.75(d)(1) and MPEP § 608.01(o).

The specification does not disclose the pattern generator set forth in claim 1. It is recognized that the pattern generator is illustrated in fig.4 and fig.9. However, the specification does not disclose the connection and the functionality of the pattern generator.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claims 1-20 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

a. In claim 1, line 5, the connection of the "pattern generator" to the system is not clear. It is not clear what should be the input signal to the pattern generator and what system would receive the signals output from the pattern generator. It is not clear how the signal received in (or output from) the interface is processed (or manipulated) in the pattern generator.

b. In claim 5, lines 1-2, the claimed "further including" is ambiguous, it is not clear if it is the signal generating device that further includes the "digital signal encoder" or if it is the VDR that further includes the "digital signal encoder".

c. In claim 6, line 2, the claimed "further including" is ambiguous as similarly explained in claim 5 above.

d. In claim 7, line 1, the claimed "wherein there are further included" is ambiguous, it is not clear, which device with further include the plurality of signal generating devices.

e. In claim 7, lines 2-3, the claimed "wherein there is further including a multiplexer" is ambiguous, it is not clear if it is the VDR that includes the multiplexer or if it is the signals generating devices that include the multiplexer, moreover, the connection of the multiplexer to the system is not clear. Although the applicant discloses that the multiplexer is coupled to the encoder, the connection of the multiplexer to the rest of the

elements in the system is not clear. It is not clear what should be the input signal to the multiplexer and what should be the output signal from the multiplexer. Will the multiplexer provide signal to the encoder, or will the multiplexer receive signal from the encoder?

f. In claim 8, lines 1, the claimed "wherein there are further included" is ambiguous as explained in claim 7, line 1 above.

g. In claim 8, line 2, the claimed 'there is further included a switched hub" is ambiguous as similarly explained in claim 7, lines 2-3 above.

h. In claim 8, line 3, the claimed "therefrom" is ambiguous, it is not clear if it is the signals generated from the switched hub or if it is the signals generated from the dissimilar signal generating device.

i. In claim 9, line 2, the claimed "wherein there is further included a wireless access point" is ambiguous, it is not clear if it is the signal generating device, or if it is the VDR system that includes the wireless access point. Moreover, the connection of the wireless access point to other elements of the system is not clear.

j. Other claims are rejected as being dependent on the rejected base claim.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the

invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

6. Claims 1-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Masten JR. (US 2003/0185296) in view of Li et al (US 2003/0097661).

As per claim 1, 10, Masten teaches a vehicle video data recorder system (para 0047, 0051), the system comprises: a digital memory array (para 0026); a signal generating device (a camera) (para 0026, 0031); a coupler (computer) for receiving data signals from the signal generating device (para 0031, 0033). Moreover, since Masten teaches converting the standard numerical representation for every pixel in the image to a live view or data steam (para 0032), Masten obviously encompasses teaching a pattern generator for converting the pixel to a pattern (ie. an image representing an object). Masten does not explicitly disclose an encoder for converting the data signal to an IP protocol and an interface for introducing the IP protocol to the memory array, however Master suggests converting the signal at the on-board vehicle interface to the IP format ready for transmitting and storing data over the internet (para 0039-0040, 0045), and Li teaches an encoder for converting the data signal to an IP protocol and an interface for introducing the IP protocol signals to the memory array (para 0012, 0013). It would have been obvious to a person of ordinary skill in the art at the time the invention was made to implement the encoder and the interface taught by Li to the system taught by Masten in order to improve transmission speed and provide quick access to the system database.

As per claim 2-4, implementing an encoder at a specific location, or incorporating a known encoder to the signal generating device (the camera) would have been known as obvious matter of design choice.

As per claim 5, Masten teaches an analog camera including a digital signal encoder (para 0031-0032).

As per claim 6, Masten teaches analog audio transmitter including a digital signal encoder (para 0032).

As per claim 7, using multiplexer to combine signals from different sources into a single signal would have been well known.

As per claim 8, Masten teaches a plurality of dissimilar signal generating devices (the camera and the audio device) (para 0031-0032, 0059); moreover, using switched hub for managing signals would have been well known in IP communication network.

As per claim 9, Masten teaches a wireless signal generating device with a wireless access point for transmitting the wireless signal (para 0056-0057).

As per claim 11-12, Masten teaches a panic button for sending an alert signal to the system (para 0036, 0049), and controlling the rate of frame recording (para 0063), moreover,

controlling distribution of signals according to alert or emergency status would have been known.

As per claim 13-14, Masten teaches sending data signals to an external receiving station (para 0066) via communication satellite interface (para 0047, 0055).

As per claim 15, providing military radio communication link for monitoring or remote controlling military aircraft would have been well known.

As per claim 16-20, Masten teaches wireless LAN interface (para 0056-0057). Moreover, including a switch hub, ARINC for distributing output signals via LAN interface to a plurality of monitoring facilities including a mobile monitoring entity such as an aircraft would have been well known and obvious matter of design choice.

Response to Arguments

The examiner acknowledges the applicant addresses of the examiner's comments on the 35 USC 112 second paragraph rejection, however, the claims should be amended to resolve ambiguity in the claims.

In response to applicant's argument on page 7, first paragraph, Masten discloses a VDR system installed in a vehicle or an aircraft (Masten para 0051), in the system, the camera and microphone output signal to a computer and the remote computer packages the data such that they are suitable to be directly incorporated into the memory array (the archive) (para 0025,

0031 and 0032). Masten, further, teaches converting the data for the IP transfer of the data to the precinct and memory array (para 0016, 0064, 0039). Li in similar technology teaches a system which receives video signal streams from a camera (the signal generating device) (lines 5-10 of claim 1, and line 4 of claim 7), the system encodes the input video signals to IP packets ready for transmitting over the network (para 0013, 0046) for storage (claim 1, lines 11-12). Since Masten teaches storing data generated by camera and transmitted under IP transfer to the archive (para 0064) and since Li teaches how to encode data received from camera in IP protocol (as explained above), the method for encoding the data received from the camera taught by Li can obviously be used to convert the data to IP protocol to facilitate transmitting the IP packets via internet in a format that is ready for storage to an archive server. The applicant fails to highlight the difference between the system of the present invention and the combined system taught by Masten and Li.

Concerning the added limitation "pattern generator", it is noted that fig.4 and 9 illustrate the element, however, the specification does not clearly disclose the pattern generator and its functionality in the system. The applicant asserts that para 0074 discloses the element. However, the specification does not contain paragraph 0074. Actually, the specification has only 58 paragraphs. The examiner also reviews details related to fig.4 and 9 (para 0046 and 0050), the examiner cannot locate any section that specifically discloses the connection and functionality of the pattern generator. Moreover, claim 1 does not explicitly disclose the functionality and connectivity (including input and output signal) of the pattern generator in the system. Since Masten teaches the capability of generating image of objects from the pixel

data stored in a storage device (para 0033), Masten obviously discloses a pattern generator that generates patterns of pixels arrangement of the object to be displayed.

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thu Nguyen whose telephone number is (571) 272-6967. The examiner can normally be reached on T-F (7:30-6:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas Black can be reached on (571) 272-6956. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

August 4, 2006

THU V. NGUYEN
PRIMARY EXAMINER